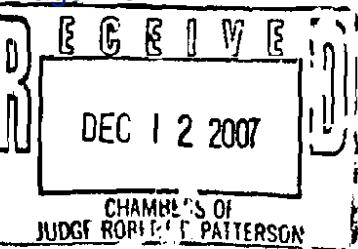


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December 12, 2007

By fax 212-805-7917

Hon. Robert P. Patterson
 United States District Judge
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl St., Room 2550
 New York, NY 10007

USDC SDNY
 DOCUMENT
 ELECTRONICALLY FILED
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 DATE FILED: 12/12/07

MEMO ENDORSED

Re: Millar v. City of New York et al., 07 Civ 8229 (RPP)

Dear Judge Patterson:

We were retained to represent Macy's Inc., formerly known and sued herein as Federated Department Stores, Inc ("Macy's") in this matter. Although plaintiff had apparently served Macy's with the summons and complaint through the Secretary of State, for unknown reasons, that process was not received by Macy's, and it only learned about the action when it was recently contacted by plaintiff's counsel.

Macy's time to respond to the complaint has expired. We respectfully request that Macy's time to respond to complaint be extended for thirty days, or to January 11, 2008. This is Macy's first request for such relief.

We have spoken to Rose M. Weber, Esq., counsel for plaintiff, and she has graciously consented to this application.

Respectfully submitted,

THOMAS A. CATALANO

954180

application granted
 so ordered
 Robert P. Patterson
 12/12/07

LESTER SCHWAB KATZ & DWYER, LLP

December 12, 2007

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